

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
(ATLANTA DIVISION)**

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,**

Plaintiff,

v.

**DRIVE PLANNING, LLC and
RUSSELL TODD BURKHALTER,**

Defendants,

and

**JACQUELINE BURKHALTER,
THE BURKHALTER RANCH
CORPORATION, DRIVE
PROPERTIES, LLC, DRIVE
GULFPORT PROPERTIES LLC,
and TBR SUPPLY HOUSE, INC.,**

Relief Defendants.

**Civil Action No. 1:24-cv-3583-
VMC**

JOINT MOTION TO EXTEND DISCOVERY PERIOD

Plaintiff Securities and Exchange Commission (“Commission”), Defendants Russell Todd Burkhalter (“Burkhalter”) and Drive Planning, LLC, by and through Drive Planning’s receiver, Kenneth Murena (the “Receiver”), and Relief Defendants Jacqueline Burkhalter (“J. Burkhalter”), Burkhalter Ranch Corporation, Drive

Properties, LLC, Drive Gulfport Properties LLC, and TBR Supply House, Inc. (collectively, “Relief Defendants”), respectfully submit this joint motion to extend the discovery period from July 14, 2025 until October 14, 2025. As explained below, there is good cause to grant this ninety day extension of the discovery period. Specifically, in support of this motion, the parties state as follows:

1. The SEC filed suit against Defendants and Relief Defendants on August 13, 2024. (ECF No. 1.) The SEC alleged that Defendants violated various provisions of the federal securities laws and that the Relief Defendants received proceeds from those violations. (*Id.*)

2. The Court granted the SEC’s motion for emergency relief in part, including the SEC’s request to freeze certain assets and appoint a Receiver over Drive Planning. (ECF Nos. 10-11.)

3. Since that time, the Receiver has conducted an accounting of Drive Planning, marshalled assets on behalf of the receivership estate, and liquidated certain real property. (*See, e.g.*, ECF Nos. 81, 85, 89, 98.)

4. The SEC and Mr. Burkhalter also entered into a bifurcated settlement that resolved the issue of liability, imposed certain injunctive relief, and reserved the issue of monetary relief for a later motion. (ECF Nos. 101, 102.)

5. In addition, Ms. Burkhalter has worked with the Receiver to resolve issues regarding her ownership of certain affiliated entities that are also named as relief defendants in this matter.

6. At this time, the parties and Receiver are still working to resolve the outstanding issues in this complex case without further intervention from the Court. However, given the large number of assets involved, including real property, and the high dollar amounts at issue, the parties would benefit from additional time to complete discovery. Moreover, the parties believe that it is appropriate to focus their efforts and resources on such issues, while at the same time being mindful of developing the record in the event they are unable to resolve the outstanding issues. Extending the discovery period by the requested ninety days will help the parties in this endeavor.

7. This is the parties' first request for an extension of time to complete discovery.

Dated: June 23, 2025

Respectfully submitted,

/s/ Harry B. Roback

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CERTIFICATE OF COMPLIANCE WITH L.R. 5.1B

I hereby certify that the foregoing has been computer processed with 14-point New Times Roman Font in compliance with the United States District Court for the Northern District of Georgia Local Rule 5.1B

/s/ Harry B. Roback
Harry B. Roback

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document on the Defendants and Relief Defendants by filing it with the Clerk of Court using the CM/ECF system.

/s/ Harry Roback
Harry Roback